

REMARKS

Favorable reconsideration of the application is requested in view of the present amendment.

Claims 1, 5, 9, 11 and 13-14 have been amended. Claims 2-4 and 12 have been canceled.

Claim 1 has been amended to recite an inflator comprising a structure defining first and second chambers, said first chamber being for containing a volume of fluid under pressure wherein said fluid comprises a non-pyrotechnic material, said second chamber being in fluid communication with an outlet passage for directing fluid from the inflator, a closure member openable to release said fluid to flow out of said first chamber, an initiator actuatable to open said closure member; and a filter disposed in said second chamber, wherein said filter comprises a ring-shaped top wall, a ring shaped bottom wall, and a cylindrical side wall extending between said top wall and said bottom wall, said side wall including a plurality of apertures through which said fluid flows to said outlet passage, wherein said ring shaped top wall and said ring shaped bottom wall project radially beyond said cylindrical side wall, said top wall of said filter engaging an annular portion of said initiator and said bottom wall engaging an annular surface in said second chamber, said initiator urging said bottom wall against said annular surface to clamp said filter in said second chamber between said initiator and said annular surface said fluid being directed from said first chamber into said second chamber and through

said filter into said outlet passage upon opening of said closure member.

U.S. Patent No. 6,543,806 to Fink ("Fink") does not disclose a filter that comprises a ring-shaped top wall, a ring shaped bottom wall and a cylindrical side wall extending between the top wall and bottom wall, as recited in amended claim 1. In Fink, the filter 98 does not have a ring shaped top wall and a ring shaped bottom wall. Additionally, Fink does not disclose a filter wherein a ring shaped top wall and a ring shaped bottom wall project radially beyond a cylindrical side wall, as recited in amended claim 1. Furthermore, Fink does not disclose a top wall of a filter engaging an annular portion of an initiator, as recited in amended claim 1. In Fink, filter 98 does not engage initiator 20. Thus, Fink does not disclose the structure of amended claim 1.

Additionally, as admitted in the Office Action, U.S. Patent No. 6,431,595 to Swann et al. ("Swann") does not disclose or suggest a filter that comprises a ring-shaped top wall, a ring shaped bottom wall, and a cylindrical side wall extending between the top wall and the bottom wall, as recited in amended claim 1 (See Office Action, Page 4). Furthermore, Swann does not disclose or suggest a ring shaped top wall and a ring shaped bottom wall of a filter project radially beyond a cylindrical side wall, as recited in amended claim 1. Swann also does not disclose or suggest a top wall of a filter engaging an annular portion of an initiator, as recited in amended claim 1. In Swann, annular filter 74 does not engage

initiator 76. Thus, Swann does not disclose or suggest the structure of claim 1.

The addition of U.S. Patent No. 6,705,637 to Goto et al. ("Goto") does not cure the deficiencies of Swann. Goto also does not disclose or suggest a filter that comprises a ring shaped top wall and a ring shaped bottom wall extend radially beyond a cylindrical side wall, as recited in amended claim 1. In Goto, the top wall and bottom wall of diffuser assembly 140 do not extend radially beyond the side wall. Further, Goto does not disclose or suggest that a top wall of a filter engages an annular portion or an initiator, as recited in amended claim 1. In Goto, diffuser assembly 140 does not engage igniter 130. Accordingly, the combination of Swann and Goto does not disclose or suggest each and every element of amended claim 1. Thus, Swann and Goto, taken individually or in combination do not render amended claim 1 obvious.

Consequently, claim 1 is allowable.

Claims 5-10 depend either directly or indirectly from claim 1 and are allowable for at least the same reasons as claim 1 and for the specific limitations recited therein. Accordingly, claims 5-10 are allowable.

Amended claim 11 is similar to amended claim 1. As stated above with respect to amended claim 1, Fink, Swann and Goto fail to disclose or suggest a filter that comprises a ring shaped top wall, a ring shaped bottom wall, wherein the ring shaped top wall and the ring shaped bottom wall project radially beyond the cylindrical side wall, as recited in amended claim 11. Additionally, as stated above with respect

to claim 1, Fink, Swann and Goto fail to disclose or suggest an initiator engaging a first portion of a filter, as recited in amended claim 11. Accordingly, none of the cited prior art discloses the invention of claim 11 or renders claim 11 obvious. Thus, claim 11 is allowable.

Amended claim 13 recites filter means that comprises a ring-shaped top wall, a ring shaped bottom wall, and a cylindrical side wall extending between said top wall and said bottom wall, said side wall including a plurality of apertures through which said fluid flows to an outlet passage, wherein said ring shaped top wall and said ring shaped bottom wall project radially beyond said cylindrical side wall, said top wall of said filter engaging an annular portion of said initiator and said bottom wall engaging an annular surface in said second chamber. As stated above with respect to amended claim 1, Swann and Goto fail to disclose or suggest a filter that comprises a ring shaped top wall, a ring shaped bottom wall, wherein the ring shaped top wall and the ring shaped bottom wall project radially beyond the cylindrical side wall, as recited in amended claim 13. Additionally, as stated above with respect to claim 1, Swann and Goto fail to disclose or suggest a top wall of a filter engaging an annular portion of an initiator, as recited in amended claim 13. Accordingly, none of the cited prior art discloses the invention of claim 13, or renders claim 13 obvious. Thus, amended claim 13 is allowable.

Amended claim 14 recites a filter that comprises a ring-shaped top wall, a ring shaped bottom wall, and a cylindrical

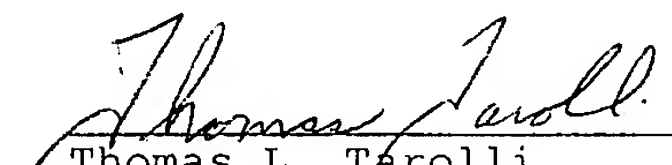
side wall extending between said top wall and said bottom wall, said side wall including a plurality of apertures through which said fluid flows to an outlet passage, wherein said ring shaped top wall and said ring shaped bottom wall project radially beyond said cylindrical side wall, said top wall of said filter engaging an annular portion of said initiator and said bottom wall engaging an annular surface in said second chamber, said initiator urging said bottom wall against said annular surface to clamp said filter in said second chamber between said initiator and said annular surface. As stated above with respect to claim 1, Swann and Goto fail to disclose or suggest a filter that comprises a ring shaped top wall, a ring shaped bottom wall and a cylindrical side wall, wherein the ring shaped top wall and the ring shaped bottom wall project beyond the cylindrical side wall, as recited in amended claim 14. Additionally, as stated above with respect to claim 1, Swann and Goto fail to disclose or suggest a top wall of a filter engaging an annular portion of an initiator, as recited in amended claim 14. Accordingly, none of the cited prior art discloses the invention of claim 14 or renders claim 14 obvious. Thus, amended claim 14 is allowable.

Claim 15 depends from amended claim 14 and is allowable at least the same reasons as amended claim 14 and for the specific limitations recited therein. Accordingly, claim 15 is allowable.

In view of the foregoing remarks, reconsideration and allowance of the present application is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,


Thomas L. Tarolli
Reg. No. 20,177

TAROLLI, SUNDHEIM, COVELL,
& TUMMINO L.L.P.
526 Superior Avenue, Suite 1111
Cleveland, Ohio 44114-1400
Phone: (216) 621-2234
Fax: (216) 621-4072
Customer No.: 26,294